

Name

D1523

Telephone
Number

DPA

Location

D110

Date

12/06/17

Have you already spoken to your CUSTODY OFFICER?

Yes ☒ No ☐

Have you used the FORMAL COMPLAINTS PROCEDURE
for this matter?

Yes ☐ No ☒

I consent to the IMB investigating my concern and understand that
this investigation may include the IMB discussing the concern
raised with Immigration Removal Centre staff and others on a confidential basis.

Yes ☒ No ☐

What are your concerns?

I asked IMB to deal with a concern the
last time I was in Brook House and the
matter has yet not been resolved. Kindly
get back to me ASAP.

Place your completed form in an IMB box

Signature

Signature

Monitoring fairness and respect for people in custody www.imb.gov

For IMB
use only

IMB member(s) dealing with this application

Please print

Signature

Application category

Date received

Nationality

IMB notes

D1523

15/6 had been moved to J Wing after an incident at the surgery the preceding evening. He went through his 2 main issues 1. not allowed to return to Dugard which he is desperate to do because of family because of an alleged assault on an officer which he denies 2. Unanswered complaints + brush off from Hammondswoth when he was alleged to be assaulted by an officer. Took copies of various of his documents for him + us - with his permission
Michelle Smith - despite his history the veracity of his statements needs to be checked.
Simon Levett - to email Dugard to ask about an assault on a officer.

16/6 Reply from Dugard - no record of an officer being assaulted by Mr **D1523**
20/6 Mr **D1523** removed without warning on RDS to Spain without incident.

Date

Action taken

Further session with Simon Levett. Long criminal history Record of an **Sensitive/Irrelevant** and a sentence of **Sensitive/Irrelevant** licence Jan 2014, which might be the incidents involved. However, **D1523** left a RDS 19.30 so unable to check. Simon to email Caseworker about what appears to be incorrect allegation about the officer assault at Dugard.

Re: Hammondswoth complaints - Simon agrees a poor response from John Harman. Jackie to try + obtain copies of the 3 complaints + responses from IMB there.

Reply

Verbal/written (delete as appropriate)

Member's signature

Date

[Back to Inbox Folder](#)

From: Chair Colnbrook <[redacted] DPA>
To: Chair brookhouse <[redacted] DPA>
CC: Dick Weber <[redacted] DPA>
Date: Thu, 6 Jul 2017 06:06:18 PM
Subject: RE: [CJSM] [redacted] D1523
[more..](#)

Dear Jackie,

Thanks for the reply regarding the visit, I will discuss with my members at our Board Meeting next week and get back to you.

In terms of Mr [redacted] D1523 I have visited our Complaints Clerk at Hethrow IRCs to obtain details of the 4 complaints you have highlighted. She can only find complaint 131 - 142036 in her records, which is the one that you quote in your e-mail. We also searched the system by his name, and only found one other complaint but this was lodged in June this year and has been allocated to the PSU.

So we are struggling to assist as we cannot trace the other 3 complaints you have highlighted. The Complaints Clerk has e-mailed the Home Office Complaints Unit with the 3 complaint references to see if we can establish who these complaints have been allocated to, but they do not appear to have been allocated to Heathrow IRC.

Kind regards

Andrew

From: Chair brookhouse <[redacted] DPA>
Sent: Wed Jun 21 22:20:03 BST 2017
To: Chair Colnbrook <[redacted] DPA>
Cc: Dick Weber <[redacted] DPA>
Subject: [CJSM] [redacted] D1523

Dear Andrew

Sorry we have not been back to you about your board visit. It has taken a while to get all the answers we needed but at today's board meeting we finally tied G4S and the HO down to agreeing the visit could be done as a 12, providing most was during the lunch time so we did not interfere with the regime. I don't think it would stop us going on to the wings in smaller groups. I'd hope one of the senior managers could do a welcome speech and then we could have a decent session comparing IMB working practice. We'd need to know what specifically you would like to see. I'll leave our excellent BDO Gareth to get in touch over details, dates, etc.

The main reason I am writing is about [redacted] D1523. Dick wrote to you 15 May with a very good explanation of the issues. You passed it to your vice chair but then we heard nothing. In the interim [redacted] D1523 was moved to Morton Hall, had RDs to Spain, acted so badly on the plane that the pilot turfed him off and ended up back at Brook again ready to start his complaints and IMB apps on the same issues as before.

His main problem is that he is desperate to get back to Dungavel and Scotland but he was

refused a transfer on the basis of his behaviour. The reason given by the HO caseworker is that he assaulted an officer at Dungavel, which D1523 denies and is demanding details of this supposed assault. In fact it is now looking, though not 100% sure yet, as if he might be right.

There were plenty of other examples of bad behaviour which might be cited but if this particular one is wrong his records need to be amended. I am following up this aspect with the help of Brook HO.

I mention this because if it were proved he was right about the Dungavel business he might also be right about the Harmondsworth one too. At Harmondsworth he alleges he was assaulted by an officer and submitted two complaints which were not answered before a third to which he got a reply on 7/4 from John Harman. "You felt unhappy with your previous complaints.....and the lack of response to these. Having carefully considered this aspect of your complaint I have found it to be not substantiatedbecause if you can provide me as much information as possible regarding the incident and I will endeavour to investigate thoroughly." That is surely not grounds for deciding it is unsubstantiated? Of course he would feel unhappy about the lack of response. Then he says he has to reply within 7 days but the letter does not reach D1523 till 3/5.

At the HO suggestion I wonder if you would be able to send us copies of the relevant complaints: nos 131 - 144883; 131 - 142202; 131 - 147484; 131 - 142036 and any answers. If the Harmondsworth HO is not comfortable sending them to the IMB it could send them directly to Simon Levett, the Deputy Home Office Manager at Brook House. The situation is further complicated in that D1523 suddenly received unannounced RDs to Spain yesterday evening. I am pretty sure he will be back as he has been before. It would be as well to get this matter settled once and for all so I would much appreciate your help in this matter.

Regards

Jackie Colbran
Brook House IRC

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From: Levett Simon [DPA]
To: 'Chair brookhouse' [DPA]
Date: Thu, 22 Jun 2017 09:33:40 AM
Subject: RE: [CJSM] D1523 10542266
[more..](#)

Jackie,

The latest.....on Dungavel part. This is the response to my email from Dungavel that I sent yesterday from , so it is true he did not assault any staff at Dungavel.

I am waiting confirmation to remove the 11 Dec CID entry. I will also let the caseowner know.

Hello Simon,

The information regarding the Staff Assault in the first attachment is false. If I recollect correctly the information was drawn from CID records following Andrews phone call and email rather than an in depth analysis of the situation as is the case in my response to your last email (2nd attachment)

The CID note of 11-Dec-2015 DS: Criminal Activity : states "Assault an officer at Dungavel (15 Weeks) IS91 Held. CID Alert: Highly Disruptive in detention, uncooperative whilst at Dungavel and MH"

Although this is incorrect, I would not have had reason to suspect so on a cursory check but apologise for perpetuating the error. Unfortunately it appears that the response to the complaint will have included the same information.

Regards

Simon Levett
Deputy Immigration Manager
Immigration Enforcement

Home Office
Brook House IRC, Perimeter Road South,
Gatwick Airport, West Sussex, RH6 0PQ

T: [DPA]
F: [DPA]
M: [DPA]
www.gov.uk/home-office

-----Original Message-----

From: Chair brookhouse [DPA]
Sent: 21 June 2017 22:20
To: Chair Colnbrook
Cc: Dick Weber [DPA]
Subject: [CJSM] D1523

Dear Andrew

Sorry we have not been back to you about your board visit. It has taken a while to get all the answers we needed but at today's board meeting we finally tied G4S and the HO down to agreeing the visit could be done as a 12, providing most was during the lunch time so we did not interfere with the regime. I don't think it would stop us going on to the wings in smaller groups. I'd hope one of the senior managers could do a welcome speech and then we could have a decent session comparing IMB working practice. We'd need to know what specifically you would like to see. I'll leave our excellent BDO Gareth to get in touch over details, dates, etc.

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Regards

Jackie Colbran
Brook House IRC

I

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From: Levett Simon <[REDACTED] DPA>
To: 'Jackie Colbran' <[REDACTED] DPA>
CC: Patel Heenaxi <[REDACTED] DPA>
Date: Fri, 16 Jun 2017 02:18:38 PM
Subject: [CJSM] RE: [REDACTED] D1523 [REDACTED] K1701197
[more..](#)

Hi Jackie,

With regard to [REDACTED] D1523 I have received the information I requested from Dungavel and it appears they have no information regarding an assault on an officer. He was certainly involved in an assault on another detainee. I can show you next time you are at Brook. To further investigate it would perhaps be an idea to get hold of the letter you mentioned he holds that states he assaulted officers.

Not entirely sure what [REDACTED] D1523 actually wants but potentially we could contact whoever wrote the letter and ask them to amend? But need to see who this letter is from?? Dungavel could not find any record of sending a letter. They did assure me that he could not return to Dungavel due to his behaviour.

Remind me of this when in next Wednesday and I will show you the info.

Regards

Simon Levett
Deputy Immigration Manager
Immigration Enforcement

Home Office
Brook House IRC, Perimeter Road South,
Gatwick Airport, West Sussex, RH6 0PQ

T: [REDACTED]
F: [REDACTED]
M: [REDACTED]
www.gov.uk/home-office <<http://www.gov.uk/home-office>>

From: Levett Simon
Sent: 15 June 2017 15:39
To: IRC Dungavel House Inbox
Cc: 'Jackie Colbran'
Subject: [REDACTED] D1523 [REDACTED] K1701197
Importance: High

Afternoon Dungavel,

The above detainee has raised an issue / complaint that when he was residing at Dungavel 20/07/15 to 09/08/15 he was placed on R40 for assaulting a detainee or officer (or both) CID indicates a Part C stating he had been involved in an assault on another detainee (04/08/15) He has received a complaint response at some point stating he had assaulted an officer. Mr

D1523 disputes that he assaulted officer/s.

Therefore could you confirm what the incident was and whether it was an assault on officer/s or was it a detainee? **D1523** is adamant he did not assault any officers and is demanding a response and names of officers he assaulted. He has written a number of complaints about this issue and has also discussed with the IMB (cc'ed)

If you cannot confirm officer names, at least please could you confirm what the incident was?
Were officers injured etc?

Thanks

Simon Levett
Deputy Immigration Manager
Immigration Enforcement

Home Office
Brook House IRC, Perimeter Road South,
Gatwick Airport, West Sussex, RH6 0PQ

T:
F:
M:

DPA

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View attachments:
[untitled.txt \(12.4_K\)](#)

For Official Use Only	
Unique Reference Number:	Case Owner Team: CCD 28
Date Complaint Received: 15/6/17	
Family Name: D1523	First Name(s): D1523
Date of Birth: DPA	Nationality: Spanish
CID Reference Number: 10542266 HO Reference Number: K1701197 NOMIS Number:	Current Location (IRC or STHF name, other): Brook House
Location where the incident you are referring to in your complaint occurred (IRC, STHF, other): Harmondsworth / Dugave	
Contact details – email address and mobile telephone number:	

Have you previously spoken to anyone about your complaint? Yes ☐ No ☐

If 'Yes', to whom did you speak?

Is this a complaint about healthcare services or staff? Yes ☐ No ☐

If your complaint is about an incident in which you were injured, the investigating officer may wish to examine your medical records. Do you give permission for the investigating officer to have access to your medical records?

Yes ☐ No ☐

Please provide a telephone number/forwarding address/email address if you wish to receive a reply after you have left detention. Any reply by email will not be encrypted.

A copy of your complaint and response, unless the complaint is marked as a healthcare complaint, will automatically be shared with the Independent Monitoring Board (IMB) to allow them to monitor the way in which the complaint was handled. If you **do not wish** the IMB to see a copy of your complaint or response please tick this box: ☐

The submission of a complaint will not affect consideration of your immigration status and will not prevent you from being removed from the United Kingdom, unless it is a complaint of a serious assault and involves a police investigation.

The submission of a complaint will have no influence as to whether or not you will be transferred to another immigration removal centre.

Details of your complaint and what you would like to see done about it:

(Continue on a separate page if necessary)

I was assaulted in Hammondsworth and made a complaint to you people, you replied telling me you needed a copy of all the complaints I made prior to that one and that without it the investigation would be concluded. You failed to address the complaint even though I gave you all the information you needed to investigate this. I will be speaking to the ombudsman about this incident unless it is properly addressed and dealt with. I have had enough of the evasion.
THANK YOU.

Signature:

Signature

Date: 12/06/17

PLACE COMPLETED FORM IN THE YELLOW IMMIGRATION ENFORCEMENT COMPLAINTS BOX

Signature

For Official Use Only

Unique Reference Number:

Case Owner Team: *CCD 28*Date Complaint Received: *13/6/17*

Family Name: D1523	First Name(s): D1523
Date of Birth: DPA	Nationality: <i>SPANISH</i>
CID Reference Number: <i>10542266</i> HO Reference Number: <i>K1701197</i> NOMIS Number:	Current Location (IRC or STHF name, other): <i>BROOKHOUSE IRC</i> <i>C-202</i>
Location where the incident you are referring to in your complaint occurred (IRC, STHF, other): <i>On flight number U28661 of Ryanair.</i>	
Contact details – email address and mobile telephone number: DPA DPA	

Have you previously spoken to anyone about your complaint? Yes ☒ No ☐

If 'Yes', to whom did you speak?

*The tasco group who done this.*Is this a complaint about healthcare services or staff? Yes ☐ No ☒

If your complaint is about an incident in which you were injured, the investigating officer may wish to examine your medical records. Do you give permission for the investigating officer to have access to your medical records?

Yes ☒ No ☐

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DPA**DPA**

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The submission of a complaint will have no influence as to whether or not you will be transferred to another immigration removal centre.

Details of your complaint and what you would like to see done about it:

(Continue on a separate page if necessary)

On the plane, I initially felt that I wanted to go but then I thought of the Judicial Review that was lodged the day before and I changed my mind. When I tried to let Tasco know about this they placed a metal handcuff in top of the other harness which was illegally placed on me and tightened and twisted it inward inflicting unimaginable pain to my left wrist. At the same time my left leg and foot were being twisted at awkward angles and the same was happening to my right leg, meanwhile the officer

Signature:

Signature

Date: 12/06/17

PLACE COMPLETED FORM IN THE YELLOW IMMIGRATION ENFORCEMENT COMPLAINTS BOX

sitting on the seat in front of me facing towards me was pushing my head down making it almost impossible to breathe and sticking/digging a finger in ~~the~~ right side of my neck, in other words my pressure point and he held that for a good 10 seconds at a time. The most pain I suffered was with my left wrist. I screamed, cried out for help and still it got worse. I have a swelling and a bruising now and cannot feel my entire hand as a result. I would like these officers at Tascor punished for what they have done or I will take this matter even further and also blame the HOME OFFICE and G4S for placing me in the care of these animals. THANK YOU



Home Office

Please post all completed forms in the Red box in the library

Do not post without a reference number

Immigration Request Form

Name:

D1523

Date: 13/06/17

Reference: (CID, Home Office, Prison or Port)..... **161701191**

****This is required on all Request Forms. We cannot guarantee a response if not quoted****

Reason for Request

<input type="checkbox"/> Flight	<input type="checkbox"/> Detainee wishes to return to their Home Country / Voluntary Departure
<input type="checkbox"/> New Information on Case	<input type="checkbox"/> FRS
<input type="checkbox"/> Appeal	<input checked="" type="checkbox"/> Other (please specify)

Please tick box above and provide further details below, giving as much information as possible

I would like to request the name of the officer I supposedly 'assaulted' and any evidence towards that and I would also like the name of the detainee I supposedly assaulted in Morlon Hall and any evidence of this. Also, I would like the Home Office to confirm without doubt that I assaulted an officer in Dungeness and was sentenced as a result.

Response

Failure to respond² will result in me contacting the police for ~~defamation~~ ^{defamation} and false allegations.

Date:

Immigration will try to see everyone in person; however, it may be appropriate to respond in writing if this enables you to receive the information to your request earlier

Please remember to quote your reference above before posting this form

Signature

Continued. T.R.

Also, I would like to know that as a European, I'm
I truly entitled to legal aid unless I'm applying for
Asylum compared to Scotland?

You keep saying I have had disruptive behaviour in
my time in detention but could you also tell me
how many times I have been referred to the
authorities or charged?

In my FOI 43805 reference you state that you cannot
provide me with the information because it is
intended for future publication. When will this publication
be and if it is going to be publicised, why not
provide me with the information anyway?

You also state in my FOI 43805, that the information
is easily accessible to myself, hence the reason I
asked you (HOME OFFICE) why is it in the
public interest to withhold such information if it is
already accessible? Though I understand that you maybe
have a right to withhold such information, my question
is why and why did you resort to using legal
terms for a simple FOI Request?

Why did it take you so long to answer
the FOI request when legally, the questions should
have been answered within 20 working days?

Signature

P.S. Stop Stalling!!!

Signature

[Back to Inbox Folder](#)

From: Levett Simon <[redacted]>
To: 'Chair brookhouse' <[redacted]>
Date: Fri, 23 Jun 2017 12:19:21 PM
Subject: [CJSM] FW: D1523 - K1701191
[more..](#)

DPA

DPA

Jackie,

FYI – The caseowner has confirmed he will remove any record of this assault on staff, DEPMU will remove from CID. PSU are also investigating a complaint for [redacted] but not sure whether the Dungavel issue would have been part of it. I have advised PSU of what I established in case it would assist in his complaint response (if he raised it)

Regards

Simon Levett

Deputy Immigration Manager

Immigration Enforcement

Home Office

Brook House IRC, Perimeter Road South,

Gatwick Airport, West Sussex, RH6 0PQ

T: DPA

F: DPA

M: DPA

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From: Rochfort John Antony

Sent: 23 June 2017 11:43

To: DEPMU Duty Manager (HEO)

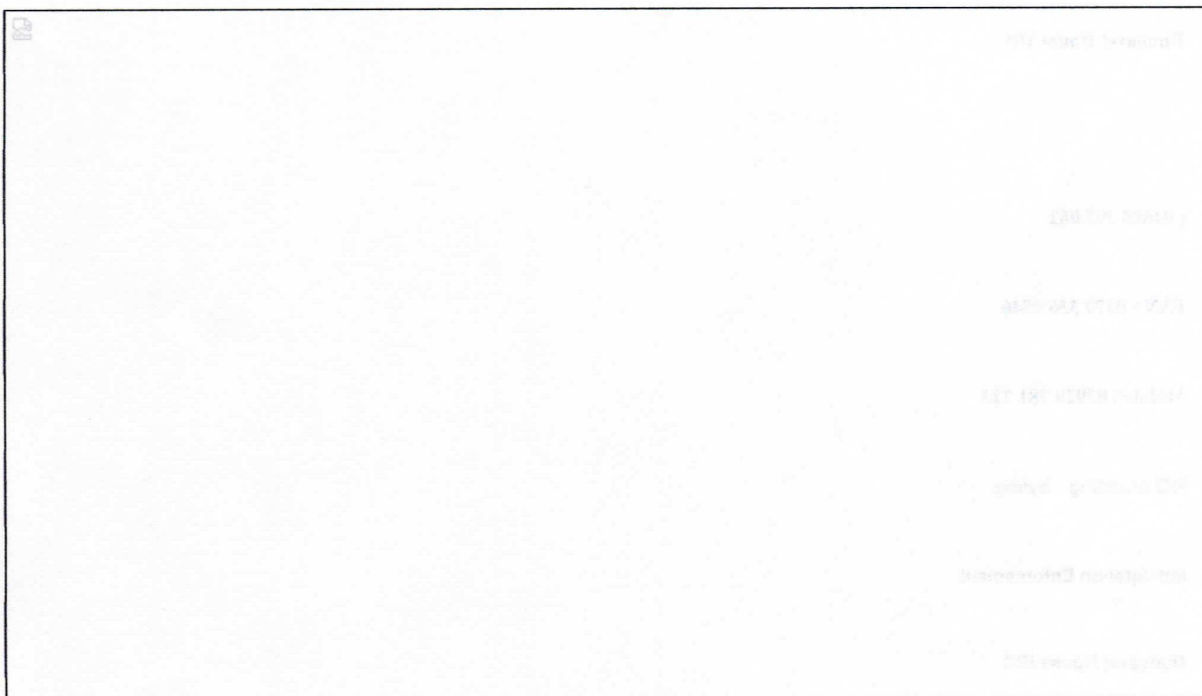
Cc: Levett Simon

Subject: RE: D1523 - K1701191

Hello Guv,

Please remove to reference to "Assault an officer
at Dungavel (15 Weeks)" from CID Note of
11-Dec-2015 , the rest of the note remains appropriate but on investigation, it

is clear that the staff assault never took place.



Many thanks

John

John Rochfort

Deputy Immigration Manager

Dungavel House IRC

DPA

FAX : DPA

Mobile : DPA

HO branding - byline

Immigration Enforcement

Dungavel House IRC

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Joseph M

[Edit labels](#)**Fwd: D1523 - Reply to compalint 131-144883** [Inbox](#)

Mon, Jun 12, 2017 at 2:35 PM

D1523**DPA**

To: Brook Welfare

DPA[Reply](#) | [Reply to all](#) | [Forward](#) | [Print](#) | [Delete](#) | [Show original](#)

----- Forwarded message -----

From: **Complaints** <**DPA**>

Date: 31 May 2017 at 17:00

Subject: RE: **D1523** Reply to compalint 131-144883To: **D1523** <**DPA**>Dear Mr **D1523**

Please see attached.

UK Visas and Immigration

From: **D1523** [mailto:**DPA**]**Sent:** 21 May 2017 09:07**To:** Complaints**Subject:** **D1523** - Reply to compalint 131-144883

'With regard to your point about a transfer to Dungavel IRC. Our records show that you served a custodial sentence of 15 weeks for assaulting an officer at Dungavel, and therefore, as you were advised in our previous complaint response, you are considered

<https://mail.google.com/mail/u/0/h/n9ll6ptqarje/?&th=15c9c83d46de7c33&...> 12/06/2017

unsuitable for detention at Dungavel IRC.' This is a lie because that assault happened in the police cells when they illegally kept me in the police station for 6 days instead of taking me straight to a detention centre so I could exercise my right to speak to a solicitor. Look at the records properly and the court dates, they told me they would put me straight on a plane without bothering to take me to a detention centre. I will be forced to call the police or go to court unless this is properly investigated. You don't need any more information since I have provided enough info for you to investigate, you are stalling on your responsibilities. The incident happened at harmondsworth when I was assaulted that should be enough for you to investigate. Stop stalling and do your job since you guys wont reply to most of the complaint I ever sent and because I'm being transferred to all sorts of different centres all my paperwork gets lost or stolen by the staff in those under the instructions of my caseworker no doubt, one more unsatisfactory answer I will take to court for ill-treatment and neglect.

On 19 May 2017 at 09:03, Complaints < **DPA** > wrote:



Immigration
Enforcement

D1523

DPA

CMS Reference: 131-144883

HO Reference: K1701191

19 May 2017

Dear **D1523**

<https://mail.google.com/mail/u/0/h/n9ll6ptqarje/?&th=15c9c83d46de7c33&...> 12/06/2017

Thank you for your further email correspondence of 20 April and 3 May. I am conducting an independent review of your complaint following your further submissions.

Your complaint

You have said that you did not assault anyone at Dungavel Immigration Removal Centre (IRC) and that you are being kept away from Scotland. You state that you have also made a complaint about an assault by an officer at Harmondsworth IRC and you have not had a response to that complaint. You would like us to look into these matters further.

My decision

I can confirm that we have a record of two complaints made by you on 21 March 2017, references ending in 142202 & 142036. One complaint expressed discontent about the refusal of your request to transfer to Dungavel House immigration removal centre (IRC) (complaint reference 142202). The second complaint contained allegations of an assault on you by an officer at Harmondsworth IRC (complaint reference 142036). On the matter of the assault complaint, you mention that you have raised previous complaints and have not been responded to. We have been unable to locate any earlier complaints from you on this matter but should you be able to provide reference numbers to assist us we will conduct a further search.

Our records do show however that, on 7 April 2017, the suppliers that operate Harmondsworth IRC, Mitie, wrote to you advising that they would be happy to investigate your allegation of assault if you could provide further information. I would like to invite you once again to provide any additional information about this incident for example, a description of the officer involved, the date of the assault, the location and circumstances leading to the assault. Detention and Escorting Services will, on receipt of this information, open a new complaint for you and ensure that the matter is investigated and that you are provided with a reply.

With regard to your point about a transfer to Dungavel IRC. Our records show that you served a custodial sentence of 15 weeks for assaulting an officer at Dungavel, and therefore, as you were advised in our previous complaint response, you are considered unsuitable for detention at Dungavel IRC.

While I understand this may not be the outcome you had expected, there are no grounds to warrant further consideration of your case and I am satisfied with the decision not to uphold your complaint.

My response now concludes our internal complaint procedure but should you remain dissatisfied with this reply, you may raise the matter with Dame Julie Mellor, the Parliamentary and Health Service Ombudsman (see her website: www.ombudsman.org.uk).

Yours sincerely

Matthew Bligh

Director

Criminal Casework

www.gov.uk/ukvi

We value your feedback; please enter the following link into an internet browser to access a brief anonymous survey to help us improve our service to you.

<http://www.homeofficesurveys.homeoffice.gov.uk/s/108101SAHVL>

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2017-05-31 - UKVI Complaint Response - **D1523** 131-147484 - Stage 3.pdf

<https://mail.google.com/mail/u/0/h/n9ll6ptqarje/?&th=15c9c83d46de7c33&...> 12/06/2017



UK Visas
& Immigration

DPA

Mr **D1523**

DPA

By Email

CMS Reference: 131-147484

Date : 31 May 2017

Dear Mr **D1523**

Thank you for your further email correspondence of 21 May 2017 where you have raised a complaint about the circumstances the incident at Harmondsworth Immigration Removal Centre.

We have previously reviewed your complaint under complaint references 131-144883 and 131-142202. This has included a review of your complaint by a UKVI Director.

I am satisfied that your complaint has been fully and properly investigated and reviewed.

I understand that this may not be the reply that you expected but I am unable to undertake any further reviews on this matter. Our previous reply of 19 May 2017 explains what steps you can take should you remain dissatisfied, but as a reminder you can take the matter up with the Parliamentary and Health Service Ombudsman, Rob Behrens CBE (see his website www.ombudsman.org.uk).

Yours sincerely

Signature

Niran Mothada
Director
Customer, Planning and Performance
www.gov.uk/ukvi

**Prisons &
Probation
Ombudsman**
Independent Investigations

23 May 2017

D1523 **A2581DN**
Morton Hall Immigration Removal Centre
Swinderby
Lincolnshire
LN6 9PT

Case Number: 77101/2017

Dear Mr **D1523**

Thank you for your letter that we received on 22 May 2017. You have asked the Prisons and Probation Ombudsman to consider your complaint about you wanting to transfer to a Scottish IRC.

Unfortunately, the Ombudsman cannot investigate your complaint until you have gone through the relevant internal complaints system. You have not indicated that you have done this.

If you wish to complain about your treatment at Immigration Removal Centre or Short Term Holding Centre, you must first complete a DCF9 complaint form. These should be available on the residential unit.

If you are not satisfied with the response you receive, please write back to us with three months of receiving it, and we will reassess your complaint. If you do write to us, you need to provide the response and a cover letter outlining your complaint and clearly explaining the reasons you remain dissatisfied.

Yours sincerely

Signature

Parvez Miah
Allocation and Assessment Team

[Back to Inbox Folder](#)

From: Dick Weber [redacted] DPA
To: Chair Colnbrook [redacted] DPA
CC: Chair brookhouse [redacted] DPA Louise Gledhill [redacted] DPA
Date: Mon, 15 May 2017 05:08:07 PM
Subject: [CJSM] Mr [redacted] D1523 : COMPLAINT REFERENCE NUMBER - CMS131000142036

[more..](#)

Dear Andrew,

I hope that I am addressing this matter to the right person. If not, please send it straight back!

In brief, during a rota visit last week, I was approached by [redacted] D1523 as were a number a number of my colleagues during their own recent rota visits. [redacted] D1523 complained that he was assaulted by a DCO at Harmondsworth at around Christmas-time. He claims that a member of the Harmondsworth IMB saw him in the CSU, but did not get back to him. [redacted] D1523 told me that he had complained formally in writing about the alleged assault and had received no reply to this or, indeed, to a second complaint. On 20 March, he submitted a third complaint (Ref No: CMS131000142036) from Brook House and subsequently received a reply from John Harman, the Residential Manager for MITIE Care and Custody. The reply is dated 7 April, but was not received at Brook House until 3 May. One of my colleagues has seen the envelope in which the reply arrived which suggests that the letter was not posted until 2 May. In his reply, Mr Harman gives [redacted] D1523 a deadline of 14 April by which to respond with more information about his previous complaints and the alleged incident at Harmondsworth. Interestingly, there may have been an expectation that [redacted] D1523 would have left the UK by early May, but, in the end, his RDs were cancelled.

I need to say that I was not entirely impressed by [redacted] D1523 whose behaviour has been problematic at every centre in which he has been located and I would certainly not take at face value his claims of having been assaulted. However, there are potentially worrying aspects about the response from Mr Harman and, in particular, why a reply dated 7 April appears not to have been posted until 2 May.

I told [redacted] D1523 that I would pass on the details of this matter to the IMB at Harmondsworth. It may well be the case that there is nothing about which we need be concerned, but I would be grateful if you could let me know of anything at your end which might throw light on this matter.

I am copying this note to Jackie Colbran and to Louise Gledhill, the IMB member at Brook House who saw the date stamp on the envelope in which Mr Harman's letter was sent.

Kind regards,

Dick

DICK WEBER

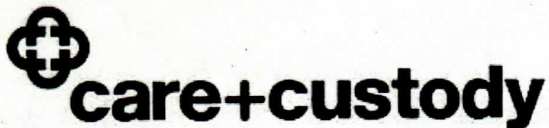
DPA

(Home)
(Mobile)

-
Andrew has passed it to Tony Swake V-C
to look at.

*** This email has been transmitted via the Criminal Justice Secure eMail service. ***

*** Anfonwyd y neges ebost hon drwy wasanaeth ebost Diogel Cyfiawnder Troseddol ***



D1523

10542266
Brookhouse IRC
Perimeter Road South
London Gatwick Airport
Gatwick
RH6 0PQ

7 April 2017

Dear D1523

Complaint Ref No: CMS131000142036

I was most concerned to receive your complaint dated 20th March 2017 regarding your previous complaints that you have submitted, and the lack of response to these.

We aim to provide the highest standard of care to detainees. Complaints are always treated seriously and used as an opportunity to learn and improve services.

The investigation into your complaint was conducted by Residential Manager John Harman but from the limited amount of information given on your complaint form I am unable to proceed further. I have now completed my investigation into your complaint and am pleased to offer the following response.

Your letter contained one main issue of complaint, which I would now like to address.

Firstly, you felt unhappy with your previous complaints that you have submitted, and the lack of response to these. Having carefully considered this aspect of your complaint I have found it to be not substantiated. This is because, having reviewed the issue if you can provide me as much information as possible regarding the incident and I will endeavour to investigate thoroughly. Alternatively could you give me the 'unique reference numbers' allocated to the previous complaints? I can then source information from these. Please send the relevant information to

DPA

by the 14.04.2017.

Should you wish to discuss any aspect of this complaint further, please do not hesitate to contact me.

If you remain dissatisfied, you may also appeal to the Prison and Probation Service Ombudsman (PPO) who is independent of Immigration Enforcement and Mitie Care & Custody. You must do this within three months of receiving this letter. I have

enclosed a leaflet which explains the process. The PPO cannot deal with any complaints relating to your immigration status, including any decision to remove you from the United Kingdom, nor does the PPO deal with complaints about healthcare.

To help us continually improve our Complaints Handling Process, we have also enclosed a Complaints Handling Feedback Form with this letter which we ask that you complete and return to us by posting it in the Immigration Complaints box.

Thank you for bringing your concerns to our attention.

Yours sincerely

John Harman
Residential Manager
MITIE Care + Custody

*I gave **D1523** this letter today at 14.05 hrs
3/5/17. DCO Brewster*

Signature



Home Office

RESPONSE TO YOUR REQUEST

Name **D1523**

Room No.

Port / HO ref K1701191

Received (date) 17/3/17

Date 17/3/17

Your Reason for Request

<input type="checkbox"/>	Travel Documents	<input type="checkbox"/>	I wish to return to my country
<input type="checkbox"/>	My Flight	<input type="checkbox"/>	FRS
<input type="checkbox"/>	My Appeal	<input type="checkbox"/>	I have new information on my case
<input type="checkbox"/>	Bail	<input checked="" type="checkbox"/>	Other

Written response

As requested please see response from your caseworker for the questions you raised.

He would like to know what disruption/ violent behaviour he has done in Dungavel and in why basis he has been refused ?

Response from the centre manager at Dungavel "I appreciate the humanitarian / detainee welfare element to the request and have considered Mr **D1523**'s recent and historical behaviour record before reaching a decision.

1. **D1523** assaulted a member of staff while last at Dungavel. Further to that he demonstrated his non-compliance and unsuitability for the open regime on numerous occasions as detailed in the Part Cs on record while here.
2. The most recent example of his continued poor behaviour is from 03-Jan-2017, Part C Morton Hall : PTC- **D1523** assaulted a detainee outside the Barber shop by throwing a punch on another detainee. After the incident, several detainees stated to staff members that it was an unprovoked attack. For his own safety he was relocated to Elm

It is obvious to me that without labouring the point by quoting any further, the long list of DS: Disruptive Behaviour entries on CID that Mr **D1523** remains unsuitable for Dungavel IRC and has made no effort to demonstrate otherwise while detained at Morton Hall, Harmondsworth or Colnbrook IRCs".

He also believes that the Immigration is scared that as he falls under the EEA national he cannot get legal aid and if transferred to Scotland he can get access to legal aid.

He can apply for legal aid wherever in the UK he is being held. There is no difference in the system for legal aid in Scotland from the rest of the UK.

He stated he will be filing compensation claim. He is welcome to do so.

He is happy to return to his country only once he can meet his family and it not disrupt and make any claims. He would like to be transferred to Dungavel for 1 - 2 weeks.

His requests have been forwarded to the appropriate teams both in DEPMU and at Dungavel IRC. Their response has been to state that he is deemed unsuitable for Dungavel IRC due to his previous behaviour.

Signed

Signature